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# **Annual Report**

**January to December 1992**

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**COMMUNITY LAW CENTRE**  
**University of the Western Cape**

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ANNUAL REPORT JANUARY 1992 to DECEMBER 1992

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INTRODUCTION

The Community Law Centre of the University of the Western Cape hereby presents its Annual Report covering the period January 1992 to December 1992.

For a number of reasons the Community Law Centre has in the short period of its existence been propelled into a position requiring it to play an important role at a national level in relation to constitution-making, the development of a Bill of Rights for South Africa, the future of South Africa's legal system, judiciary and legal profession, the development of a human rights culture and generally in matters relating to transition, empowerment of the disempowered as well as developmental projects at a number of levels.

This role has largely been dictated not only by the presence within the Community Law Centre of persons who in their own right are playing a crucial role in relation to the abovementioned matters, but also because of the complexities of the unfolding situation in South Africa. During the year 1992 it became apparent that the constitutional dispensation which thusfar has provided the basis for government and law and order in the country had become completely delegitimised and it had become imperative that South Africa should move as rapidly as possible into a new democratic constitutional dispensation.

It also became clear that because of South Africa's position as a sovereign independent state, constitutional development and transitional measures would be infinitely more complex and difficult than other transitions in Africa. The diversity of interests and indeed conflicting interests have resulted in a situation in which there was no consensus, not only as to the objective to be achieved, but also the road to be followed. This has meant that South Africa's transition to democracy is far more complex than originally anticipated.

The situation has therefore demanded that the Community Law Centre be involved in activities at different levels - all at the same time. The Centre has continued to strengthen its community involvement whilst at the same time seeking to make a contribution towards policy formulation, research and intellectual development. The year 1992 therefore has been an extremely busy year. Every single member of the Community Law Centre as well as those associated with its work has been soarly tested and challenged to produce a considerable amount in a short period of time. It is an impossible task to set out in a brief report all the work performed during the year under review. This report will therefore highlight major areas of activities.

### CONSTITUTIONAL MATTERS AND BILL OF RIGHTS ISSUES

Undoubtedly the Community Law Centre's contribution to policy formulation in constitutional matters and Bill of Rights issues as well as human rights issues generally has been a major priority day in and day out throughout the year. Members of the Community Law Centre, Zola Skweyiya, Brigitte Mabandla, Bulelani Ngcuka and Dullah Omar have - together with some others - played the role in policy making and decision-making as well as formulation of relevant documents. All were actively involved in discussions and debates at many places throughout South Africa and are therefore making a considerable contribution to the process of democratization and the building of a human rights culture.

At the same time and with a view to the development and empowerment of those currently discriminated against and disempowered by the apartheid system, this Centre has embarked upon projects to give deeper meaning to human rights and development.

At the same time the CLC has not neglected its duty to provide advice and guidance to many organisations of the disadvantaged people of South Africa, such as trade unions, civic organisations, church organisations and youth organisations as well as womens organisations around issues of discrimination, persecution or victimization by the authorities.

Our Street Law project which has had another highly successful year also turned its attention to the issue of human rights in all its programmes. All factors taken into account, the Centre has enjoyed a highly successful year and has won recognition both nationally and internationally.

### STAFF SITUATION

The following persons are directly employed by the Centre:

1. **ADV. A M DULLY OMAR**, Director
2. **DR ZOLA SKWEYIYA**, Senior Research Fellow and Adviser
3. **MR BULELANI NGCUKA**, Senior Research Fellow, also acting as Assistant Director

4. MS BRIGITTE MABANDLA, Research Fellow
5. MS SUNITA DALLA, Secretary
6. MS MICHELLE MORRIS, Research Fellow
7. MELANIE JACOBS (officially on staff of Centre for Development Studies)

In addition the Centre has been fortunate in securing the voluntary services of MS AMY BIEHL from the USA. Earlier in 1992 the Centre was also fortunate to have on its staff for a short period voluntary assistants, GEOFF YOST and KATHERINE ROSS, both also from the United States. The Centre also employed a number of student assistants drawn from the Law Faculty of the University. MR PETER VOLMINK acted as co-ordinator of the Street Law project with great distinction and PROF. CLIFFORD SHEARING, world expert on policing continued to work on the policing project at the Centre.

#### ACCOMMODATION

The year end saw the Centre move out of its temporary premises and into premises provided for it in the Law Faculty building. There are still huge problems with accommodation, taking into account the nature and extent of work of the Centre, which problem remains as critical as ever. Whilst the Centre is appreciative of the efforts made to provide adequate accommodation for the Centre, additional accommodation is an urgent necessity.

#### EQUIPMENT AND FACILITIES

The inventory annexed hereto marked "A" sets out the furniture, equipment and other assets of the Centre as at December 1992.

#### LIBRARY

The Centre has concentrated a great deal of its efforts to secure a human rights and constitutional library for easy reference for members of the Centre, staff of the legal faculty and the university generally. During 1992 the Centre received donations from PROF ADRIEN WING of the University of Iowa in the United States as well as from the RAOUL WALLENBERG INSTITUTE in Sweden. Arrangements have also been made for United Nations material to be supplied to the Centre.

#### PROJECTS TOWARDS EMPOWERMENT, DEVELOPMENT AND HUMAN RIGHTS

In addition to the general constitutional and Bill of Rights issues to which time was devoted at the Centre throughout the year, the Centre has also been involved in a number of important projects which have achieved nation-wide respect and recognition, namely the CHILDRENS RIGHTS RESEARCH AND ADVOCACY PROJECT, the POLICING PROJECT, a project on AFFIRMATIVE ACTION as well as a GENDER PROJECT. In all instances CLC personnel were called in to participate in national structures at the highest levels. Whilst the Childrens Project and the Policing

Project have advanced significantly, the two other projects are on the verge of more significant action. The preparatory work and community consultations have taken place - a necessary condition of the Centre - thus laying the basis for major efforts in 1993.

### THE CHILDRENS RIGHTS RESEARCH AND ADVOCACY PROJECT

Under general direction and supervision of Ms Brigitte Mabandla. Co-ordinator of project Ms Michelle Morris.

#### **INTRODUCTION**

The Children's Rights Research and Advocacy Project, launched in October 1991, was established to insure the recognition and enforcement of legal and human rights for all children across South Africa, especially those children who have been suffered as a direct result of apartheid. In its first full year of existence, 1992, the Project has made great strides towards the achievement of its mission.

The mission of the Project in 1992 was two-fold. First, the aim was to raise awareness of the situation of children within South Africa through advocacy. Workshops, consultations, interviews, conferences, seminars and other methodology were utilised to ensure that children's rights were placed firmly on the agenda in the incipient constitutional negotiations and drafting of a bill of rights. Second, the aim was to research and analyse existing law and policy to develop alternatives and proposals for future policies and accompanying legislation.

The project went beyond the accomplishment of these goals and in less than one year, was recognised as a leading voice, along with the National Children's Rights Committee, in the demand for immediate interventions to protect and advance the children of South Africa. Children's rights advocates across the country have been strengthened through the persistent efforts of the Project to campaign for the rights of all children. At the end of 1992, even the South African government was looking to the Community Law Centre as the key player in the field. The Project concluded 1992 on a very high note. In December 1992, the government responded to the demands of children's rights advocates and lawyers across South Africa and released hundreds of children from adult prisons.

#### 1. CHILDREN'S RIGHTS ADVOCACY

Due to the need for children's rights advocates to come together to discuss issues surrounding the youth of South Africa, the Project began planning for an extensive education and linkages campaign. Through consultations, workshops and interviews, the Project began to raise awareness of children's rights amongst lawyers, human rights advocates, teachers, parents, social workers, community leaders and members and even children. Due to the divisive effects of apartheid, these

efforts were crucial to reunite those who have dedicated their lives to protecting children and promoting positive change on behalf of youth, often challenging the policies of apartheid.

### Workshop Series

As a result of our advocacy work in 1991, the Project recognised a dire need for the organisations of forums open to both the community and advocates active in the field of children's law and welfare. The Project elected to organise a community workshop series on specific topics of immediate attention as identified by our consultations.

From January 1992 until May 1992, the Project organised four major community workshops. The topics addressed were:

1. Discrimination Against Children
2. Violence Against Children
3. Juvenile Justice
4. Disabled Children

Organisations and individuals, as well as local community representatives were invited to participate in these workshops. Speakers such as Professor Albie Sachs, Dullah Omar, Professor Nico Steytler, Shifra Jacobson of RAPCAN, NCRC Director Shirley Mabusela, Vuyo Mahlati and representatives of Lawyers for Human Rights and NICRO presented papers at the workshops. The Project staff conducted extensive background research in each of the areas and prepared comprehensive discussion documents for distribution at each workshop. The workshops were interactive in nature and urged all participants to contribute ideas and comments. Consequently, they were fundamental in setting the framework for future needs in the area of research and advocacy. The proceedings from each workshop were compiled into a single discussion document for use in future workshops within communities and the international conference. The attendance at each of these workshops covered a wide spectrum of organisations and were a huge assistance in bringing together many groups for the very first time. It was recognised that future workshops also need to be held within communities to allow maximum participation of those whose lives are most affected by the law.

### International Conference and Children's Summit

Within six months of its inception, the Children's Rights Project successfully hosted an International Conference on the Rights of the Child. This conference was made possible due to tremendous support from other concerned organisations and specifically, with the backing of NCRC. This conference was viewed as the first in-country follow-up to the international conference on children in detention that was held in Harare, Zimbabwe in 1987. Through our consultations, research and workshops, it was affirmed that the situation of children in South Africa, specifically black children, was still one of oppression, poverty and despair and de-humanisation. The

Project, in conjunction with Molo Songolo and NCRC, decided to convene a three-day conference to explore the rights of children in South Africa.

Preparations for the International Conference merged with the research of the staff and the workshop series. International and local experts and activists were invited to prepare papers around themes such as child labour, welfare policies, family law, abortion, violence, and drought relief.

Because the input of children was a major influence at the Harare Conference and due to the participatory role many children have played in the struggle against apartheid, it was also decided to convene a Children's Summit. Molo Songololo, a advocacy group for the rights of homeless children, agreed to assist in the organisation of the summit.

The Summit was held from 27 May until 1 June, International Children's Day. Over 200 children between the ages of 12 and 16 years from more than 15 geographic regions were selected to act as delegates at the summit. The Project played a large role in the training and preparation of the children for their roles at the event. Children debated their legal and constitutional rights, as well as international standards and family responsibilities in workshops led by various children's rights organisations. At the conclusion of the week-long event, the elected "executive committee" of children drafted the first-ever "CHILDREN'S CHARTER OF SOUTH AFRICA". With a few minor revisions, this charter was unanimously adopted by the Summit.

The Policy Conference convened by the Project followed the Children's Summit. Held from 10-13 June 1992, the Conference was a major turning point in heightening awareness of children's status in South Africa. Over 300 persons attended the conference and participated in panel discussions, plenary and workshops in the areas of Family Law, Child Labour, Drought Relief, Advocacy and other areas. Spokespersons from the Summit presented the Children's Charter to the adults and challenged them to work towards the achievement of the goals contained therein. An extensive conference report and video were produced following the event.

#### Post-Conference Activities

Since the Conference, the Project has been overwhelmed with responses and requests to follow-up on many of the ideas and strategies that were presented by speakers and delegates. The Conference has also sparked a growing interest in the area of children's rights under the law. In the last six months of 1992, the Project has attempted to meet these interests through the continuation of consultations and workshops within the communities, as well as the promotion of networks of organisations in specific areas, such as the NCRC Street Children's Committee and the Child Labour Network. The Project staff have also participated in workshops and seminars hosted by other organisations to share ideas developed at the Conference.

Additionally, the Project staff have worked closely with Molo Songololo and the children of the Summit. Staff researchers have accompanied children to meetings with the police and government groupings, as well as talks at schools and other public forums, to present the Children's Charter and to make demands for better treatment of children. The Project has also facilitated in the organisation of smaller "summits" and weekend human rights camps for homeless children and other youth in order to educate and empower those who were unable to attend the summit.

## 2. RESEARCH COMPONENT OF PROJECT

In preparation for the conference and summit, the Project was actively engaged in collating and analysing existing law as it relates to children. As well, comparisons were made with international law and principles. However, the most revealing of all research was that conducted in the field. Researchers spent a great deal of time on farms, in communities, at schools, in courts, in prisons and places of safety, in family homes, learning about the situation of children. The two areas identified for extensive research were Child Labour and Juvenile Justice.

### Child Labour

In April 1992, two part-time researchers conducted an investigative study in the Eastern Transvaal into exploitative labour practices. Throughout 1992, news of abuses and even deaths of children labourers regularly found their way into the press. The Project chose to explore the secrecy around this area and to expose the problems that confront these children. The Project researchers met with children, trade unions, employers, teachers, as well as parents and families, to gather their information. The study was a breakthrough for the Project in that it revealed the desperate situation that thousands of children must suffer under every day. The study exposed that employers force children to work long hours under gruelling conditions for a pittance or less. The findings also confirmed our recognition of the tremendous need to begin more concentrated work in this area of the law as it affects children.

### Juvenile Justice

Perhaps the greatest advances for the Project in 1992 occurred in the area of Juvenile Justice. Beginning with simple background research in January, which showed that no significant study has been completed in this area since 1979, the Project went from having no knowledge of this area of law to being recognised as THE resource centre for juvenile justice in South Africa. From January 1992 until June 1992, the researcher conducted interviews with children, magistrates, prosecutors, correctional service workers, social workers, lawyers, welfare and government officials, parents, teachers and others to determine what happens to children who are arrested in South Africa. The aim of the research was to



expand the information base about children and their courts, as well as to increase the quality and scope of legal representation for children. The research also sought to ensure the advancement of rights for accused children, including the right to access to social services and the right to be held in the least restrictive manner and with minimum interference with their lives and the lives of their families.

The initial stages of research were surprising in that they revealed that there is NO system of justice for children in the courts of South Africa. The Project learned that the criminal justice system is one that creates and shapes often innocent youth into hardened criminals. Little to no emphasis is given to the rights of the child or to the need for family preservation and aid. These initial findings, along with some recommendations for change to the system, were presented at the International Conference in June. This presentation served to launch a public campaign against the atrocities that plagued children who are caught in the criminal justice system. At the time of the Conference, it was estimated that approximately 4000 children were being held awaiting-trial in prisons across the country.

Beginning in July 1992, a loose network of children's rights organisations began meeting in Cape Town and in other cities to begin searching for solutions to the problems of these children. The Project immediately began liaising with these organisations to assist children in the courts and to release children from incarceration in adult prisons. Final year law students assisted staff in locating parents, family members and legal representation for children in the courts, prisons and places of safety of Cape Town. The Project also held workshops in Johannesburg and in Cape Town to highlight the area of juvenile justice and to encourage other groupings to address the issue with urgency. Staff of the Project attended numerous meetings with government departments, children's rights advocates and welfare workers to co-ordinate efforts to attend to the plight of these children.

Following coverage of the conditions of children in prison on the national television documentary show, AGENDA, in September, interest in children in trouble with the law began to rise dramatically. In October 1992, when government committees and other efforts at negotiation had failed to achieve any significant changes, the Project released an Emergency Report entitled "JUSTICE FOR THE CHILDREN: No Child Should be Caged", at a national press conference. Largely as a result of this report, and various workshops and marches thereafter, the government responded to our demands and released children prior to the Christmas holiday. As well, due to our efforts to locate legal representation for all children in criminal court, many other children were released prior to the government announcement. NADEL, BLA and Lawyers for Human Rights firmly backed our efforts and have proven to be invaluable to the work of the Project.

The year 1992 closed with the placement of a senior law student from the Project in the Cape Town Juvenile Courts. The student began influencing actions of the court and ensuring that the rights of children were protected. Due to positive response to her work in the courts, the Project will place student monitors in all Cape courts in 1993. As well, a large working committee, comprised of all those who are concerned or working with accused children, was formed to address the issue on a national level.

### 3. NCRC SITUATION ANALYSIS

The Project researchers were selected by NCRC and UNICEF to act as sectoral researchers for the County Report and Situation Analysis of Children and Women in South Africa. The Project was responsible for the compilation and analysis of "Children and the Law: Ensuring their Survival, Protection and Development in a Democratic South Africa". The report, prepared following a day-long workshop, covered all laws relating to children and exposed existing gaps in the law and in policy. The Situation Analysis Report will be compiled and released in 1993.

#### Conclusion

The Children's Rights Project has achieved a national and international reputation as the leading research centre for children's rights and law in little more than one year. Moreover, it has responded effectively and urgently to legal issues that it uncovers through its research. The Project was at the forefront of the struggle for children's rights in 1992 and was very fortunate to have the strong support of hundreds of organisations nation-wide who are either linked to NCRC or are simply concerned about the welfare of the children and families of South Africa. While the Project is proud of its accomplishments in the last year, it recognises the tremendous challenges that are ahead to ensure the very best treatment of children and the importance of empowering and bolstering parents and families in their care of youth. The Project looks ahead with the hope that through the greater efforts of organisations such as the Community Law Centre, human rights can be achieved for all South Africans, no matter what their age.

#### POLICING PROJECT

Head of Project: PROF. CLIFFORD SHEARING.

#### OBJECTIVE

The project was established to influence the development of policing policy for a new South Africa. Its aim has been to change the way in which policing will take place once a new democratic government is installed. Its principal focus during 1992 has been to develop interventions related to:

- \* accountability of policing
- \* the organisation of policing
- \* community participation in policing
- \* public order policing

#### **STAFF**

The project has been headed by Clifford Shearing, who carried the burden of the project on his own shoulders with minimal assistance.

#### **FUNDING**

Support for Professor Shearing has been provided by the Canadian Department of External Affairs and the University of Toronto. The Canadian based South African Education Trust assisted with travel, equipment and administrative expenses.

#### **METHODOLOGY**

The project has had two methodological foci.]

1. Community involvement has been a major focus. One feature of this has been the project's emphasis on community consultation in the identification of policy issues and in the formulation of agendas for reform. This focus has also found expression in policy proposals advocated community participation and community control of policing. Both these emphases have served to promote democratic control over, and community involvement in, policing.
2. The project has sought to organise to respond flexibly to ongoing developments within the country.

#### **ACTIVITY REPORT**

During 1991 emphasis was placed on promoting a climate favourable for policing reform by identifying progressive policing as a source of freedom and liberty and specific policy arenas for attention. During 192 attention has been directed increasingly to interventions in formal policy forums. These policy forums have included the Goldstone Commission, the Police Board (and through the Police Board policy development within the SAP) as well as policy forums within the liberation movement.

Research for the project has been undertaken in Namibia, Zimbabwe, Australia, Britain and the Netherlands as well and, of course, within South Africa.

Policy interventions have taken the form of memoranda, papers, reports and books as well as oral presentations at conferences and workshops.

#### **EFFECTIVENESS**

The measure of effectiveness appropriate for the project is the extent to which thinking about policing has been affected by it and the extent to which this thinking has been, is being and will be translated into changes in the way policing is undertaken within South Africa. While it is not possible to

offer a definitive conclusion in terms of these criteria the project appears to have:

1. directly contributed to an enhanced awareness of policing as a critical reform arena, and
2. shaped the form process.

#### **1993 AND BEYOND**

During 1993 the CLC intends to expand the work of the project into a larger programme, with a five year horizon, that will have three principal foci:

1. Policy Development and Consultation
2. Community Empowerment
3. Training

#### **GENDER PROJECT**

Co-Ordinator: MS BRIGITTE MABANDLA  
 Administrator: MS MELANIE JACOBS  
 Assistant: AMY BIEHL

#### **FUNDING ISSUES**

The gender project at the Community Law Centre was conceived in 1990. However, funding for the project was only established in 1992. The purpose of the funding was to establish a gender resource centre with a built-in component of in-house research. In addition to this research facility, the centre has also concerned itself with issues of women's rights advocacy.

#### **NETWORK ACTIVITIES**

Because of the initial financial constraints, the establishment of the resource centre has been delayed. The project has negotiated for a larger space to house materials and has begun the resource centre. Nevertheless, the only full-time researcher currently employed by the project has facilitated several in-house research projects. She has sought to establish a strong foundation for the resource centre by networking among South African women and the international community. This work has been vital to the establishment of proper links for the full development of the resource centre and the gender project as a whole. Networking has also been a crucial element of the issue advocacy work of the Centre.

#### **PAPERS AND CONFERENCES**

During 1992, the researcher delivered papers on women and the Constitution at forums organized by the following organisations: the Black Women's Research Project; the Women's National Coalition; the ANC Women's League; the National Association of Democratic Lawyers; the Women's Foundation; and the National Women's Development Project. These papers have focused on topics such as the charter for women's rights and the institution of chieftainship as it impacts women. The researcher also played an important role as part of the strategizing group for the CODESA gender advisory group.

At the international level, the gender project has also been active. In April 1992 the researcher served as a resource person for the Centre on the Advancement of Women in Vienna, Austria, which convened a conference in Czechoslovakia. The group of resource persons at the conference devised strategies for increasing women's awareness of their rights. In September 1992, the researcher attended a forum in Toronto, Canada for scholars and activists on the re-characterization of human rights to encompass women's interests.

At the end of 1992, the researcher took study leave and went to the City University of New York where she worked with the international women's human rights clinic on issues of constitutionalism and gender. In the past four months, she has worked on a critique of the Charter for Social Justice (a bill of rights proposed by a group of Western Cape lawyers), addressing some of the conceptual issues in the South African constitutional debate.

In sum, despite its limited funding, space and personnel, the gender project has made significant progress in identifying, researching and advocating issues for women in South Africa's constitutional debate.

#### AFFIRMATIVE ACTION PROJECT

**Co-Ordinator: MR BULELANI NGCUKA**

The Community Law Centre has been involved very closely with the Centre for Development Studies in research and popularisation of the notion of affirmative action. A publication "Affirmative Action in South Africa" saw the light of day as a result of work and co-operation. During the year under review, a number of consultative meetings were held in different parts of the country (but mainly in the Cape) on the future direction of the Affirmative Action programme. As a result of this preparatory work, it is now possible for the Centre to move forward to more public seminars as well as publications.

#### LOCAL GOVERNMENT AND CIVIC ORGANISATIONS

During the year 1992 a group of approximately 20 persons drawn from the disadvantaged community and civic organisations across the political spectrum - or having a keen interest in local government - visited India and Zimbabwe for the purpose of studying democracy at local government levels. The trip of the group was sponsored by the South African Association for Higher Education, England. After a highly successful trip the group, drawn from different parts of South Africa, returned to South Africa. The Community Law Centre was approached to organise a seminar at which the group would discuss their visit to India and Zimbabwe as well as the lessons to be learnt. In addition to the group, a number of other representatives of civic

organisations and other structures were invited. The seminar, which was held at Cape Town on 24 & 25 July was a success. The summary of the proceedings was published.

#### STRUCTURES OF GOVERNMENT

During the year under review one of the most burning issues to emerge in the negotiation process has been whether a new South Africa should be a Unitary or a Federal State. In an endeavour to involve all sectors of the community in the debate the Centre organised a national conference on "Structures of Government for a Post Apartheid South Africa." The conference considered issues such as the role, function and powers of the central, regional and local government, fiscal decentralisation etc. The conference received widespread publicity and was undoubtedly an unqualified success. Some of the papers delivered at the conference have already been published.

#### THE NEGOTIATION PROCESS AND THE CONSTITUTIONAL DEBATE

Reference has already been made to the involvement of members of the Community Law Centre in the ongoing constitutional debates in South Africa. During 1992, four members of the Centre, namely DULLAH OMAR, ZOLA SKWEYIYA, BRIGITTE MABANDLA and BULELANI NGCUKA, were invited to act as legal advisers to the African National Congress during the proceedings of the Convention for a Democratic South Africa (CODESA).

In fact DULLAH OMAR and ZOLA SKWEYIYA were involved in preparatory work from the time that negotiations commenced in 1991. After the preparatory meeting of November 1991, both Dullah Omar and Zola Skweyiya were asked to assist in preparatory work for Codesa I. Dullah Omar was involved with others in work around preparing the terms of reference for the different working groups which were finally adopted at Codesa I. Both attended Codesa I as legal advisers and helped to facilitate the discussion on the setting up of the different working groups. Ms Brigitte Mabandla also acted as legal adviser at Codesa I.

After Codesa I held early in 1992, Dullah Omar served as legal adviser together with Brigitte Mabandla in Working Group 4 of Codesa, the subject matter of which was "The Future of the TBVC States". Major strides were taken in this Working Group towards the objective of reincorporation of the homelands into South Africa as well as the restoration of South African citizenship to all those who had been deprived of citizenship under the Bantustan laws of South Africa.

Dr Zola Skweyiya was involved in Working Group 5 at Codesa, whose task was to look at the question of legal implications and implementation of agreements.

Dullah Omar, Zola Skweyiya and Brigitte Mabandla were also invited to act as legal advisers at Codesa II and they duly attended.

Working Group 4 of Codesa also invited Bulelani Ngcuka (over a number of other candidates from different parts of the country) to act as rapporteur for Working Group 4 on the Future of the TBVC States - a role which he performed with distinction and recognition.

It will also be recalled that early in 1991 the African National Congress had published its document entitled "Discussion Document: Constitutional Principles and Structures for a Democratic South Africa". In September 1991 the South African government published its own constitutional proposals.

In addition the African National Congress had published its Draft Bill of Rights for a Democratic South Africa. A second revised version was published in May 1992. These events highlight the fact that these subjects had become matters of great debate, not only in South Africa, but overseas. In this context and because of the massive international interests, Omar, Skweyiya, Mabandla and Ngcuka - together with others - visited a number of countries including the USA, Germany, Italy, Australia, Canada and other parts of Africa to take part in seminars, conferences and meetings.

In addition Dullah Omar was asked to attend meetings of the UN Commission on Human Rights at Geneva in March and November 1992. He addressed these international gatherings on constitutional, human rights and other issues. Zola Skweyiya and Bulelani Ngcuka similarly also attended the UN Commission on Human Rights meetings at Geneva on different occasions.

Dullah Omar and Brigitte Mabandla were also invited to visit the University of Utrecht to participate in discussions on various constitutional and legal issues as part of a UWC delegation, which event was also highly successful.

All the overseas visits resulted in great exposure for the Community Law Centre. The reputation of the Centre as a participant in the unfolding constitution-making process and transition as well as a contributor to the shaping of policy is now well established in different countries of the world.

#### MOOT COURT

During 1992, the Community Law Centre was approached by the University of Pretoria Law Faculty to help arrange and win international support and acceptance for the idea of the holding of a Southern African Moot Court Competition. As a result of CLC support, the idea was accepted and Pretoria University was able to obtain the necessary funding and international blessing. It is safe to say that without CLC approval, this would not have happened. The Moot Court competition was held at Harare, Zimbabwe and was attended by a number of countries from different parts of Africa. The competition was highly successful and the UWC law students who attended the competition gave a good account of themselves. The way has been opened for contact and co-operation between

universities in different parts of Africa as well as for future Moot Court competitions.

### STREET LAW PROJECT

Reference has already been made to the highly successful work under the leadership of PETER VOLMINK. Not only was the project under, Volmink's leadership abled to reach numerous schools throughout the Cape, the enthusiasm with which Volmink tackled his task became contageous and more and more students eagerly became involved in the work of the Street Law project.

Many school principals and others have praised the work done at their schools. A major focus - human rights - played an important role in the work of 1992. The Street Law project made a major contribution to the success of the Childrens Rights Project in that it helped to organise and facilitate the Childrens Summit as well as the conference which followed. After the Childrens Rights Conference in June 1992, the Street Law Project was actively involved in exposing the practice of imprisonment of children.

At the end of 1992, the co-ordinator of the project, Mr Peter Volmink, was appointed as regional co-ordinator of Street Law and he leaves the university with the Centre's very best wishes and support.

### GENERAL LEGAL ADVISE AND SUPPORT TO COMMUNITIES

Both Dullah Omar and Bulelani Ngcuka spent a great deal of their time advising organisations of the disadvantaged, particularly trade unions, civic and other organisations in a variety of matters. In addition, Mr Ngcuka was approached by residents organisations in connection with major housing problems in Khayelitsha. He spent much time advising and negotiating on behalf of homeowners. At times he was assisted in this by Dullah Omar.

### PUBLICATIONS

During the year under review the Centre issued a number of publications, such as the following:

1. Constitutional Structures of Government by Adv. Arthur Chaskalson SC.
2. Occasional paper on Democracy in Africa by Dr Zola Skweyiya.
3. Community Voices on Policing in Transition by Clifford Shearing and Mzwai Mzamane.
4. Chidlrens publication.

Many more publications will make their appearance in 1993.

### DISTINGUISHED VISITORS TO THE CENTRE

During 1992 the Centre received a large number of distinguished national and international visitors to discuss the work of the



Centre and various aspects of negotiations and the current constitutional debate.

Ambassadors and other diplomatic representatives from a large number of countries graced the Centre with their presence. In addition political and constitutional experts from different parts of the world, religious and other leaders, also visited the Centre.

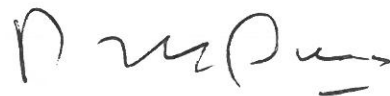
#### FUNDING AND SUPPORT

It is a pleasure to report that the year 1992 has seen the position of the Centre improve considerably. This has been largely due to the fact that the Centre has enjoyed the support of a number of funders and organisations. Great appreciation is expressed to those who have supported the Centre, inter alia:

1. Ford Foundation of the USA.
2. The Dialogue Fund of the Government of Canada.
3. The Canadian Department of External Affairs and the University of Toronto (in respect of the Policing Project).
4. The South African Education Trust Fund (Canada).
5. Radda Barnen, Sweden, in respect of projects around Childrens Rights.
6. Carnegie Corporation of USA in respect of Gender Issues.
7. The South African Advanced Education Project, England, in respect of civic seminar.
8. The Friederich Ebert Foundation of Germany.
9. Liberty Life Association.

#### CONCLUSION

The Centre has undoubtedly enjoyed a highly successful year. It remains to express appreciation to all who work in the Centre during the year for their outstanding work. Special thanks is due to the Centre for Development Studies, whose assistance has been invaluable. A word of thanks is also expressed to the Rector for constant encouragement and support. Members of the Board of Trustees as well as the Dean of the Faculty of Law for helping to make it possible for the Centre to perform its work. 1993 promises to be a year of great challenge and excitement. The Centre hopes to continue its role as a participant.




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